

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**  
NOV 27 2006

*[Signature]*  
CLERK

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UNITED STATES OF AMERICA,

CR 06-40042

Plaintiff,

vs.

ORDER

LYNETTE HETH,

Defendant.

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Pending before the Court is the Defendant Lynette Heth's Plea Agreement and Factual Basis Statement. A hearing to take the plea was held before the Magistrate Judge on November 8, 2006, and Judge Simko issued a Report and Recommendation recommending to this Court that the plea be accepted and the Defendant be adjudged guilty as charged in the Superseding Information with Possession of a Controlled Substance in violation of 21 U.S.C. § 844. After a careful review of the file, and the time for objections having expired,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, the plea is accepted and the Defendant Lynette Heth is adjudged guilty.

Dated this 27<sup>th</sup> day of November, 2006.

BY THE COURT:

*[Signature: Lawrence L. Piersol]*  
Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY: *[Signature: Shelly Margules]*  
DEPUTY